

DEC 22 2005

MORRISON | FOERSTER

355 PAGE MILL ROAD  
PALO ALTO  
CALIFORNIA 94304-1018TELEPHONE: 650.813.5600  
FACSIMILE: 650.494.0792

WWW.MOFO.COM

MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.,  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTRAL CITY  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

To:

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment United States Patent and Trademark Office	(571) 273-8300	(571) 272-1948

FROM: Ilya Chorny

DATE: December 22, 2005

Number of pages with cover page:	8
-------------------------------------	---

Preparer of this slip has confirmed that facsimile number given is correct: 9369/cgm1

## Comments:

Comments: RESPONSE TO NON-FINAL OFFICE ACTION

DOCKET NO.: 245402007600

GROUP ART UNIT: 2828

EXAMINER: T. Nguyen

SERIAL NO.: 10/716,221

FILING DATE: November 17, 2003

INVENTOR(S): Syuzo OHBUCHI

TITLE: SEMICONDUCTOR LASER DEVICE INCLUDING CLADDING LAYER HAVING STRIPE  
PORTION DIFFERENT IN CONDUCTIVITY TYPE FROM ADJACENT PORTIONS

## Papers attached:

1. Transmittal (1 page)
2. Amendment/Response (6 pages)

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

## CAUTION - CONFIDENTIAL

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

pa-1034799

BEST AVAILABLE COPY

DEC 22 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006 OMB 0651-0031

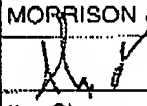
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

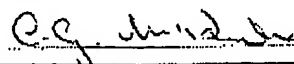
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/716,221
		Filing Date	November 17, 2003
		First Named Inventor	Syuzo OHBUCHI
		Art Unit	2828
		Examiner Name	T. Nguyen
Total Number of Pages in This Submission	7	Attorney Docket Number	245402007600

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (6 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Paper <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile cover sheet
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Ilya Chorny		
Date	December 22, 2005	Reg. No.	56,519

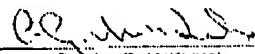
BEST AVAILABLE COPY

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: December 22, 2005	Signature:  (Carolyn G. McKubre)

pa-1034787

DEC 22 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-0300, on the date shown below.

Dated: December 22, 2005 Signature: 

(Carolyn G. McKubre)

Docket No.: 245402007600  
Client Ref. No.: 903197-01(RF/in)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Syuzo OHBUCHI

Application No.: 10/716,221

Confirmation No.: 4828

Filed: November 17, 2003

Art Unit: 2828

For: SEMICONDUCTOR LASER DEVICE  
INCLUDING CLADDING LAYER HAVING  
STRIPE PORTION DIFFERENT IN  
CONDUCTIVITY TYPE FROM ADJACENT  
PORTIONS

Examiner: T. Nguyen

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated September 29, 2005 (Paper No. 20050927), for which a response is due on December 29, 2005. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

pa-1030382

BEST AVAILABLE COPY